

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application and for granting a telephonic interview to applicant's attorney. The application has been carefully reviewed in light of the Office action.

The interview occurred on July 14, 2009. The participants were Examiner Ba Huynh and attorney Brad Spencer. Claim 1 was discussed during the interview along with the cited Tani reference. Proposed amendments as reflected in the current amendment were also discussed during the interview. .

Claims 1-3, 5, 6, 8, 10-13, 15, 16, 18, 20-23 and 26 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani. Amended claim 1 recites in part:

“automatically identifying the first and second tangible objects in the scanned image;

automatically creating a user interface element corresponding to the first tangible object identified in the scanned image;

automatically creating another user interface element corresponding to the second tangible object identified in the scanned image; and

automatically formatting an executable web page having said and another user interface elements respectively automatically positioned in correspondence with the positioning of the first and second tangible objects on the tangible background medium so that the executable web page has the desired web page appearance.”

Designing an executable web page typically involves a detailed knowledge of computer programming and design. The subject matter of claim 1 addresses this problem by providing a

web page design kit for creating a desired web page appearance and executing a program that automatically formats an executable web page. Thus, executable web pages can be designed without detailed programming knowledge.

Claim 1 requires automatically identifying first and second tangible objects in a scanned image of a desired web page appearance. User interface elements are automatically created that correspond to the identified tangible objects. The executable web page is automatically formatted having the user interface elements, which are automatically positioned in correspondence with the positioning of the tangible objects on a tangible background medium.

Tani teaches that it is conventional for an art design specialist to design a graphical display for a computer program, and then for a program part to be created to give effect to the graphical display designed by the art design specialist (1:35-41). Tani also teaches that a drawing program can be used to design the graphical display (1:42-57). Tani further teaches that a designer can directly define actions with respect to an element of a picture drawn on a display screen, to eliminate the need for the creation of a display program (2:32-39).

More specifically, Tani teaches that a designer of an interactive display screen freely draws a design on the display screen with use of a drawing means. The designer first specifies one displayed object or any ones of a plurality of displayed objects in a defined picture drawn on the display with use of a displayed-object specifying means. Then a programmer for creating a run program for the interactive display defines an action or actions for the specified display object or objects with use of the action defining means. (2:61-3:2).

Tani, therefore, teaches several manual processes for defining displays. Tani, however, does not suggest to automatically identify tangible objects from a scanned image of a desired web page, automatically create user interface elements corresponding to the tangible objects and

automatically format an executable web page having the interface elements automatically positioned in correspondence with the positioning of the tangible objects on a tangible background medium. Claim 1 is allowable over Tani for at least this reason.

Furthermore, for the reasons discussed in applicant's Amendment dated March 27, 2009, Tani does not teach or suggest a web page design kit including a tangible background medium, a first tangible object representing a user interface element and a second tangible object representing said or another user interface element. In view of the differences between the subject matter of claim 1 and Tani, applicant submits that claim 1 is allowable over Tani. Claims 2, 3, 5, 6, 8 and 10 depend from claim 1. The arguments provided above with respect to claim 1 also apply to claims 11-13, 15, 16, 18, 20-23, 26 and 28.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ACER-44976US1.

Respectfully submitted,
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